BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

INQUIRY CONCERNING A JUDGE No. 04-239

CASE NO. SC05-851

JUDGE RICHARD H. ALBRITTON, JR.

ANSWER TO AMENDED NOTICE OF FORMAL CHARGES

COMES NOW, the Honorable Richard H. Albritton, Jr., by and through the undersigned counsel, and hereby answers the charges alleging violations of Canons 1, 2A, 2B, 3A, 3B(1), 3B(2), 3B(3), 3B(4), 3B(5), 3B(7), 3B(7)(1), 3C(1), 3C(2), 4A and 5A of the Code of Judicial Conduct as follows:

- Denied and further denied that the conduct as alleged violates the
 Code of Judicial Conduct.
- 2. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 3. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 4. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
 - 5. Denied.
- 6. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.

- 7. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 8. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
 - 9. Denied.
- 10. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
 - 11. Denied.
- 12. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
 - 13. Denied.
- 14. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
 - 15. Denied.
- 16. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 17. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 18. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.

- 19. Denied.
- 20. Denied.
- 21. Denied.
- 22. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 23. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
 - 24. Denied.
- 25. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 26. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 27. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 28. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
 - 29. Denied.
 - 30. Denied.
- 31. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.

- 32. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 33. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 34. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 35. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.
- 36. Denied and further denied that the conduct as alleged violates the Code of Judicial Conduct.

Respectfully submitted,

SCOTT K. TOZIAN, ESQUIRE
Fla. Bar No. 253510
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Attorneys for Respondent

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of August, 2005, the original of the foregoing Answer to Amended Notice of Formal Charges has been filed via efile@flcourts.org and furnished by FedEx overnight delivery to:

Honorable Thomas D. Hall Clerk Supreme Court of Florida 500 South Duval Street Tallahassee, Florida 32399-1927

with copies by U. S. Mail to:

Ms. Brooke S. Kennerly Executive Director Florida Judicial Qualifications Commission 1110 Thomasville Road Tallahassee, Florida 32303

Judge James R. Wolf Chairman, Hearing Panel Florida Judicial Qualifications Commission 1110 Thomasville Road Tallahassee, Florida 32303

John R. Beranek, Esquire Counsel to the Hearing Panel P.O. Box 391 Tallahassee, Florida 32302

Thomas C. MacDonald, Jr., Esquire General Counsel Florida Judicial Qualifications Commission 1904 Holly Lane Tampa, Florida 33629 and with copies by U.S. mail and facsimile to:

David T. Knight, Esquire Special Counsel Hill, Ward & Henderson, P.A. P. O. Box 2231 Tampa, Florida 33601

SCOTT K. TOZIAN, ESQUIRE